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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [MP](#)  
SUBJECT: MAURITIUS -- 2009 TIP REPORT: PRESS GUIDANCE AND  
DEMARCHE

REF: A. (A) STATE 59732  
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Mauritius of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Mauritius and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at [www.state.gov/g/tip](http://www.state.gov/g/tip) shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Mauritius of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing

the framework in which the government's performance will be judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Mauritius,s country narrative in the 2009 TIP Report:

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MAURITIUS (TIER 1)  
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Mauritius is a source for children trafficked within the country for the purpose of commercial sexual exploitation. Secondary school-age girls and, to a lesser extent, younger girls from all areas of the island, including from Rodrigues Island, are induced into prostitution, often by their peers, family members, or businessmen offering other forms of employment. Taxi drivers are known to provide transportation and introductions for both the girls and the clients. Boys whose mothers engage in prostitution are reportedly forced into prostitution at a young age. Some drug-addicted women are forced to engage in prostitution by their boyfriends, who serve as pimps.

The Government of Mauritius fully complies with the minimum standards for the elimination of trafficking. Mauritius sustained its strong efforts to identify, address, and prevent incidences of trafficking during the reporting period. Government officials demonstrated an increasing level of awareness of human trafficking and commitment to addressing the problem. Public awareness projects, particularly those convened for school students by police officers and the National Children,s Council, were frequently conducted and broad-reaching. Mauritius, parliament passed a comprehensive human trafficking law in April 2009.

Recommendations for Mauritius: Utilize newly passed anti-trafficking legislation to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; designate an official coordinating body or mechanism to facilitate improved anti-trafficking communication and coordination among the relevant ministries, law enforcement entities, working groups, and NGOs; and increase protective services available to victims of child commercial sexual exploitation, particularly in regard to safe shelter and educational opportunities.

Prosecution  
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The Mauritian government demonstrated increased anti-trafficking law enforcement efforts, vigorously investigating cases of human trafficking throughout the year.

During the year, the State Law Office drafted the Combating of Trafficking in Persons Bill and the Office of the Attorney General held consultations with relevant ministries and government agencies, including the Prime Minister,s Office, Ministry of Women,s Rights, Child Development, and Family Welfare (MOWCD), and the Mauritius Police Force on the law,s implementation. The law, which was introduced in the Cabinet and passed by the parliament in April 2009, prescribes punishment of up to 15 years, imprisonment for convicted offenders, penalties which are sufficiently stringent and commensurate with those prescribed for other grave crimes. The Child Protection Act of 2005 prohibits all forms of child trafficking and prescribes punishment of up to 15 years, imprisonment for convicted offenders. In November 2008, however, the government passed the Judicial Provisions Act which provided for increased penalties for various offenses;

the act prescribes punishment for child trafficking offenses of up to 30 years, imprisonment. The government reported eight child sex trafficking convictions during 2008: three under a brothel-keeping statute and five under a &debauching youth<sup>8</sup> statute. Sentences for these convicted offenders ranged between three months, and three years, imprisonment, with fines up to an equivalent \$1,764. In January 2009, police in Curepipe arrested and charged a massage parlor owner for allegedly exploiting three girls in prostitution within the spa. Police completed the investigation resulting from the January 2008 arrest of a man and woman charged with inducing their 12-year-old niece into prostitution and referred the case to the Office of the Director of Public Prosecution. Ten trafficking cases remain under investigation, including two for brothel-keeping and three for causing a child to be engaged in prostitution. The Mauritius Police Force utilized a database for tracking trafficking-related cases.

## Protection

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The government sustained its protection of child trafficking victims during the reporting period, paying NGO shelters \$6 per day for the protection of each child, including victims of trafficking. Government officials regularly referred children to these organizations for shelter and other assistance. The government-funded, NGO-run drop-in center for sexually abused children, which provided counseling to approximately 16 girls engaged in prostitution in 2008, advertised its services through bumper stickers, a toll-free number, and community outreach; its social worker continued to promote the services in schools and local communities. Nonetheless, due the drop-in center,s lack of shelter facilities and the often crowded conditions at NGO shelters, comprehensive protective services were not readily available to all victims identified within the country. To remedy this, the MOWCD acquired land and obtained funding to construct a residential center for victims of child commercial sexual exploitation late in the year. The ministry also operated a 24-hour hotline for reporting cases of sexual abuse; three cases of child prostitution were reported to the hotline in 2008. Mauritius has a formal protocol on the provision of assistance to all victims of sexual abuse; minors victimized by commercial sexual exploitation are accompanied to the hospital by a child welfare officer and police work in conjunction with this officer to obtain a statement. Medical treatment and psychological support were readily available at public clinics and NGO centers in Mauritius. In December 2008, the parliament passed the Child Protection (Amendment) Act, which created a child mentoring scheme to provide support and rehabilitation to children in distress, including children engaged in prostitution. In May 2008, the government launched a capacity-building program for its five District Child Protection Committees, which report cases of vulnerable children in their respective localities, including those involving child prostitution. The government encourages victims, assistance in the investigation and prosecution of trafficking crimes. The government ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.

## Prevention

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The government made notable efforts to prevent the sex trafficking of children and reduce the demand for commercial sex acts during the year. In 2008, the Ministry of Tourism, Leisure, and External Communications published and distributed to hotels and tour operators 3,000 pamphlets regarding the responsibility of the tourism sector to combat child sex trafficking. Law enforcement and child welfare officials conducted surveillance at bus stops, night clubs, gaming houses, and other places frequented by children to identify and interact with students who were at a high risk of sex trafficking. The Police Family Protection Unit and the Minor,s Brigade, in conjunction with the MOWCD,s Child Development Unit, conducted a widespread child abuse

awareness campaign at schools and community centers that included a session on the dangers and consequences of engaging in prostitution; this campaign reached over 12,035 persons in 2008, including 145 parents, 300 primary school teachers, and 35 youth leaders. In addition, the police provided specific training on avoiding child prostitution to over 100 children in Flic en Flac, a tourist destination on the west coast of the island.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking

victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1 ) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver

of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website [www.state.gov/g/tip](http://www.state.gov/g/tip).

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why was Mauritius upgraded from Tier 2 to Tier 1?

A: The Parliament's passage of a comprehensive human trafficking law in April 2009 brought Mauritius into full compliance with the minimum standards for the elimination of trafficking.

Q2: What anti-trafficking progress has Mauritius made in the last year?

A: Mauritius sustained its strong efforts to identify,

address, and prevent incidences of trafficking during the reporting period. Government officials demonstrated an increasing level of awareness of human trafficking and commitment to addressing the problem. Public awareness projects, particularly those convened for school students by police officers and the National Children's Council, were frequently conducted and broad-reaching. In addition, Mauritius passed a comprehensive human trafficking statute in April 2009 and worked to improve the protections available to trafficking victims.

Q3: What can Mauritius do to further its fight against human trafficking?

A: To advance its anti-trafficking efforts, the Government of Mauritius could: Utilize newly passed anti-trafficking legislation to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; designate an official coordinating body or mechanism to facilitate improved anti-trafficking communication and coordination among the relevant ministries, law enforcement entities, working groups, and NGOs; and increase protective services available to victims of child commercial sexual exploitation, particularly in regard to safe shelter and educational opportunities.

112. The Department appreciates posts, assistance with the preceding action requests.  
CLINTON